

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of:

MARITEL, INC.

and

MOBEX NETWORK SERVICES, LLC

**Petitions for Rule Making to Amend the
Commission's Rules to Provide Additional
Flexibility for AMTS and VHF Public Coast
Station Licensees**

**WT Docket No. 04-257
RM-10743**

To: The Commission

COMMENTS

Paging Systems, Inc. ("PSI"), by its attorneys, hereby submits its Comments in response to the Federal Communications Commission's ("FCC's" or "Commission's") *NPRM*,¹ in the above-referenced proceeding.

I. Introduction

PSI supports the Commission's proposal to amend its rules to permit Automated Maritime Telecommunications Systems ("AMTS") licensees to provide private mobile radio service to units on land.

¹ *Notice of Proposed Rule Making*, In the Matter of Maritel, Inc. and Mobex Network Services, LLC, Petitions for Rule Making to Amend the Commission's Rules to Provide Additional Flexibility for AMTS and VHF Public Coast Station Licensees, ("*NPRM*"), WT Docket No. 04-257, RM-10743, FCC 04-171, 69 Fed. Reg. 48440, published August 10, 2004.

PSI commends the Commission on its efforts to establish a regulatory framework to enhance the flexibility of maritime spectrum licensees and enable them to be competitive with other commercial mobile radio service providers.

PSI requests that the Commission move quickly to make the proposed changes, since the industry urgently needs new services and new customers to offset the losses caused by competition from other wireless carriers.

II. Background

PSI is a Commercial Mobile Radio Service ("CMRS") provider offering service to the maritime community by AMTS licenses under Part 80 of the Commission's Rules, on the west coast of the United States from Mexico to Canada and in Hawaii; and on the east coast from Maine to Puerto Rico, as well as in the Great Lakes region. Accordingly, PSI has significant interest in the Commission's Part 80 rules concerning the licensing and operation of AMTS.

PSI filed Comments on July 31, 2003 in the referenced proceeding below and urged the Commission to allow Part 80 carriers to provide other services to the public to permit the greatest use of the spectrum.

III. Discussion

Currently, the Part 80 rules -- or the Commission's interpretation thereof -- restrict AMTS services, in contrast to the regulatory flexibility given to CMRS competitors by the FCC. The rules or the Commission's interpretation of them must be made consistent with the reality of the wireless marketplace.

Accordingly, PSI supports the Commission's proposal to delete the reference to "public correspondence" in Section 80.123 of the Commission's Rules; to remove the discussion of "ships" in Section 80.475(c) ²; and to amend Section 20.9 to give AMTS geographic licensees the same flexibility as VPC geographic area licensees to choose between commercial and private services. As PSI stated in its Comments below, the Commission must provide uniformity of regulatory treatment so that AMTS can be afforded an equal playing field with its competitors.

These rule amendments would eliminate the clash between an old restrictive regime and the Commission's present flexible approach toward licensing in auctioning large geographic licenses in the AMTS service. These geographic licenses cover land areas that may be far from coasts or waterways, yet the Commission regulations currently appear to restrict the AMTS service from offering certain services over land.

With the proposed changes to the rules, AMTS providers will be able to increase land based services. This will be a much needed change since the opportunities for maritime services have decreased dramatically, due to use of cellular and PCS services as a substitute for AMTS services.

Finally, with respect to the question concerning AMTS stations technically and practically servicing both maritime and land mobile interests in areas near navigable waterways, PSI assures the Commission that it will at all times provide priority to its maritime users.

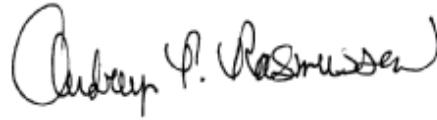
² PSI agrees with the Comments of Mobex Network Services ("Mobex Comments") at pp 3-4, which request a clarification of the term "in lieu of" in Rule Sections 80.475 (c) and (d) to mean "either instead of or in addition to interconnected service." That change would make the rule amendments unambiguous.

IV. Conclusion

Paging Systems, Inc., therefore, respectfully requests that the Commission consider these Comments and expeditiously grant AMTS the flexibility that it has provided to other wireless carriers, to be competitive, spectrum efficient and to better serve the public interest.

Respectfully submitted,

PAGING SYSTEMS, INC.

A handwritten signature in cursive script, reading "Audrey P. Rasmussen".

Audrey P. Rasmussen

Its attorney

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